

Warden MacKenzie informed the spectators in the gallery of the procedures followed during a public hearing.

STAFF REPORT

APPLICATION RA-EP/CB-28-83-06

Mr. Mike Hanusiak presented the report recommending approval of the application. He indicated the application was from Canadian National Railways Limited to rezone three of their landholdings at Eastern Passage to I-1 (Light Industry) Zone. He further advised Council the purpose of the rezoning was to establish a consistent pattern of zoning on all lands at Eastern Passage presently owned by CNR.

QUESTIONS FROM COUNCIL

None.

SPEAKERS IN FAVOUR OF THE APPLICATION

None.

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

It was moved by Councillor Deveaux and seconded by Councillor DeRoche:

"THAT this application for rezoning be approved as recommended by Council."

Motion Carried.

REZONING APPLICATION NO. RA-CH/W-10-84-21

Mr. Mike Hanusiak presented the staff report recommending approval of the application. Mr. Hanusiak advised Council the purpose of the application was to demolish the existing single unit dwelling and replace it with a structure more suitably designed for commercial undertakings. The application was for the lands of Murray Ritcey and Lorne Ritcey, Lot B1-B located at 1233 Cole Harbour Road, Cole Harbour from R-1 to C-2.

Councillor DeRoche inquired as to what type of business would be established in the premises. It was indicated there may be a barbourshop, doctor's office and/or beauty shop and/or pizza shop.

Councillor DeRoche inquired if the applicant was fully aware of the restrictions on a C-2 zone. Mr. Hanusiak replied that the applicant was quite determined to institute a C-2 zone.

SPEAKERS IN FAVOUR OF THE APPLICATION

None

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

It was moved by Councillor Wiseman, seconded by Councillor MacDonald:

"THAT the application to rezone Lot B1-B of the lands of Murray Ritcey and the lands Lorne Ritcey located at 1233 Cole Harbour Road from R-1 to C-2 be approved by Council."
Motion Carried.

STAFF REPORT

APPLICATION No. RA-SA-15-84-20

Mr. Hanusiak presented the staff report indicating a request had been received from the Nova Scotia Department of Housing requesting that Block CR-2R, Area R, Phase 7, Sackville Developments located at the corner of Rankin Drive and Glendale Drive be rezoned from C-2 to R-1. The purpose of the re-zoning is to permit the construction of single unit dwellings on lots which are presently in the process of being sub-divided. It was recommended this request be approved.

There was some general discussion by Council members and Councillor Wiseman questioned if the P-1 zoning was to be extended across the property. Mr. Hanusiak indicated it was discussed at the Policy level.

Councillor MacDonald inquired if the storm drainage problems could be overcome. Mr. Hanusiak indicated the storm drainage engineer indicated they could be.

There was further discussion and it was indicated there was no objection to installing a buffer zone along Glendale Drive 50 feet in diameter.

Mr. Georgeianas, Department of Housing joined the meeting and confirmed the Department of Housing had no objection to the buffer zone. Councillor DeRoche asked Mr. Georgianas if he had the authority to inform council there would be no objections to the buffer zone at no cost to the County. Mr. Georgianas confirmed he did have the authority to do this.

SPEAKERS IN FAVOUR OF THE APPLICATION

None.

SPEAKERS IN OPPOSITION TO THE APPLICATION

None.

It was moved by Councillor Wiseman and seconded by Councillor Mont:

"THAT this application be approved with the provision that a 50 foot buffer zone be installed along Glendale Drive."
Motion Carried.

Councillor Deveaux thanked council for their consideration and kindness during his illness and informed them while he was still convalescing he would be only able to attend a portion of the meetings and may find it necessary to leave early on occasions.

There being no further business, the meeting was adjourned.

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REGULAR COUNCIL SESSION

JUNE 5, 1984

PRESENT WERE: Deputy Warden Adams, Chairperson
Councillor Walker
Councillor Poirier
Councillor Larsen
Councillor Gaetz
Councillor Bayers
Councillor Snow
Councillor Margeson
Councillor MacKay
Councillor McInroy
Councillor Eisenhauer
Councillor MacDonald
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. D. Reinhart, Administrative Clerk

SECRETARY: Ms. C. Lynn Weeks

CALL TO ORDER

Deputy Warden Adams brought the meeting to order at 6:15 with the Lord's Prayer.

APPROVAL OF MINUTES

It was moved by Councillor McInroy and seconded by Councillor Gaetz:

"THAT the minutes of the April 17, 1984 Regular Council Session be approved as submitted."
Motion Carried.

It was moved by Councillor Larsen and seconded by Councillor Gaetz:

"THAT the minutes of the April 24, 1984 Joint Council Session be approved as submitted."
Motion Carried.

It was moved by Councillor Eisenhauer and seconded by Councillor Mont:

"THAT the minutes of the May 1, 1984 regular Council Session be approved as submitted."
Motion Carried.

ADDITION OF ITEMS TO THE AGENDA

Councillor Snow requested that "Roads--Waverley" be added to the agenda.

Councillor MacKay requested that "Sale of the Incubator Mall Sackville" be added to the Agenda and amusement board.

MEETING WITH LLOYD GILLIS

It was agreed that this item be deferred until June 19, 1984.

LETTERS AND CORRESPONDENCE

Mr. Reinhart indicated the first item of correspondence was a letter from the Metropolitan Authority communicating information pertaining to a recent arbitration case involving Metropolitan Authority and the Correction Officers Association of Nova Scotia.

It was agreed by Council members to receive this item.

Mr. Reinhart presented the correspondence from the Hon. Tom McInnis, Minister of Municipal Affairs with regard to subdivision regulations. It was agreed by Council to receive this correspondence.

Councillor MacKay indicated it was the intent of PAC to set aside two special meetings of Council to discuss, in full, the subdivision regulations. Councillor MacKay also indicated a memo was to have been forwarded to all Council members indicating the tentative dates were June 27 and June 28.

Mr. Reinhart presented the correspondence from the Department of Agriculture and Marketing. It was agreed to defer this item until the Councillors for the two districts are present at the June 19th Council Session due to some changes which would have to be made in the recommendation by Council.

Mr. Reinhart presented the memorandum from the Union of Nova Scotia Municipalities indicating a Social Services Seminar will be taking place on July 26 and 27.

Councillor Mont indicated that the matter had been discussed at the regional meeting, and it was suggested at least one elected representative be requested from each municipality to attend.

It was moved by Councillor Mont and seconded by Councillor Gaetz:

"THAT Council accept nominations for one representative to attend the Social Services Seminar to take place on July 26 and July 27."
Motion Carried.

Mr. Reinhart presented the correspondence with regard to the Education Rate--Municipal Act--Area School Rates. Councillor MacKay inquired if he was correct in believing that once the School Board has requested an area rate be imposed on a community the Council was required to impose that area rate. Mr. Cragg indicated that was correct.

Mr. Reinhart presented the correspondence with regard to the Planning Act, and public statements by Councillors from Mr. Cragg. Councillor MacKay asked why adjoining municipalities' solicitors had instructed councillors not to issue public statements prior to a public hearing. Mr. Cragg indicated that some municipalities do not have Planning Advisory Committees and as such cannot accept information in the same capacity as the Councillors for the County of Halifax can, and as well County Councillors must still take care in the statements they issue.

REPORT OF THE PLANNING ADVISORY COMMITTEE

Forest Hills Planned Development Agreement

Mr. Reinhart read the report stating a follow-up letter he sent to the Minister of Housing regarding the Municipal Planning Strategy and Zoning By-Law in the Forest Hills area.

It was moved by Councillor Mont and seconded by Councillor Snow:

"THAT a follow-up letter be sent to the Minister of Housing reinforcing the County's request of having the Municipal Planning Strategy and Zoning By-Law apply in the whole Forest Hills Planned Unit Development area rather than portions as now contemplated."
Motion Carried.

Proposed Amendments to the Municipal Planning Strategy and Land Use By-Law for Sackville

Mr. Reinhart presented the report which indicated the amendments would allow low density residential development on the Backlands of the Commercial Core Designation. This request was approved by Committee and recommended for a Public Hearing July 9, 1984 at 7 p.m.

It was moved by Councillor MacDonald, seconded by Councillor Gaetz:

"THAT a Public Hearing be held July 9, 7:00 p.m. to hear the request to allow low density residential development on the backlands of the Commercial Core Designation."
Motion Carried.

MANAGEMENT COMMITTEE REPORT

Humber Park School Property - Westphal

Mr. Reinhart read the report of the Management Committee recommending that title of the property in question be transferred to her Majesty the Queen to allow additions and renovations to the School property.

It was moved by Councillor MacDonald, seconded by Councillor Walker:

"THAT the Humber Park School Property be transferred to her Majesty the Queen for the purpose of carrying out additions and renovations to the Humber Park School after which the property will be transferred back to the Municipality of the County of Halifax."

Motion Carried.

Resolution--Withdrawal from Special Reserves

Mr. Reinhart read the report requesting approval of a withdrawal from the special reserve in the amount of \$336,580.49 for the purpose of paying overrun costs for the Beechville/Lakeside/Timberlea sewer

It was moved by Councillor Poirier and seconded by Councillor Snow:

"THAT Council approve a withdrawal of \$336,580.49 from special reserve for the Beechville/Lakeside/Timberlea sewer and further that the resolution be executed by the Warden and the Municipal Clerk for approval by the Minister of Municipal Affairs."

Motion Carried.

Resolution--Temporary Borrowing

Mr. Reinhart read the report requesting approval for a temporary borrowing resolution in the amount of \$60,000 for the modification of a water pressure system, Orchard Drive, capital project #161-W-77.

It was moved by Councillor MacDonald, seconded by Councillor Eisenhauer:

"THAT Council approve a temporary borrowing resolution in the amount of \$60,000 for the modification of a water pressure system, Orchard Drive, capital project #161-W-77 and further that the resolution be executed by the Warden and the Municipal Clerk for approval by the Minister of Municipal Affairs."

Motion Carried.

Mr. Reinhart presented the report on the grants to organizations for 1984 in the amount of \$86,750 as outlined in the report. There was much general discussion regarding this item and some of the Councillors expressed concern regarding the manner in which the criteria were set down to determine which organizations received grants and which did not as well as a concern over the classifications.

Councillor Mont inquired as to why the County was still supporting the City Market since they are now in the brewery building and are a profit making venture for the farmers who attend the market. It was indicated the County has always provided a small grant to aid in the maintenance costs of the City Market for those residents of the County who sell their produce, etc. at the market.

Mr. Meech indicated if the Councillors wanted to include the other organizations who did not receive grants for 1984 they would have to decide if they were willing to increase the total budget for grants or where Council would be cutting the present grants.

Councillor Mont indicated he appreciated the comments of Mr. Meech and the work of the management committee, however, he felt it was the responsibility of the Council, as a whole, to determine the allocation of grants.

Councillor Mont also stated the market is now in a commercial premises and he further felt it was the responsibility of the Brewery Building itself to support the market with advertising.

Councillor MacKay indicated he wished to see the CAMR receive some grant monies. Councillor Eisenhower indicated he would like some more information regarding the financial stability of the CAMR. He indicated he felt this was a profit making operation. Mr. Mason indicated that the CAMR was paying staff a small monthly stipend and could barely meet their expenses from year to year.

Councillor MacKay indicated the CAMR operated on a very tight budget although they do operate as a business, there is very little if any profit. He also indicated the main thrust of their operation was to train TMH's to function and be self sufficient.

Councillor MacKay indicated he would be willing to cut the grant to the Atlantic Winter Fair. He inquired why this was included under the grants to organizations when in actual fact it was for a building permit fee. Mr. Meech indicated that the County was not able to grant relief from payment for a building permit, and when the application was submitted it was understood this application would be treated as a grant.

Councillor Gaetz indicated it was his feeling the rescue organizations would be receiving more money from the County to carry out their work. He indicated the funding was needed for acquisition of communications equipment.

Councillor Walker inquired as to why the tourist associations are not all treated the same as far as grants are concerned. Mr. Meech indicated he could not answer that, however, historically this was the way council had treated these organizations.

It was moved by Councillor Walker and seconded by Councillor Larsen

"THAT the St. Margaret's Bay Tourist Association receive \$1,500 and the grant for the South Shore Tourist Association be deleted."
Motion Carried.

Councillor MacDonald inquired as to why the Salvation Army had been dropped from the grants. Mr. Wilson indicated they fell into the national/provincial organization category who were not eligible for grants under the new criteria. Councillor MacDonald asked who changed

the criteria. Mr. Wilson indicated it was the Management Committee. Councillor MacDonald indicated he did not feel this was appropriate action to take.

It was moved by Councillor MacDonald and seconded by Councillor MacKay:

"THAT the Atlantic Symphony grant be reduced by \$1,000 and this \$1,000 be applied to a grant for the Salvation Army."
Motion Carried.

Councillor Poirier stated she felt this situation was not a fair one if the grants were to be altered from the recommendations of the Management Committee it should be done when the complete council was present and not only one-half of the council present.

Deputy Warden Adams indicated he agreed with this sentiment.

Councillor Mont stated he remembered some discussion about referring this matter to management committee, however, he did not remember ever stating or agreeing with other councillors to allow management committee or staff to set a policy down to deal with grants.

Councillor Mont also stated that because an issue is studied by a committee and examined it does not mean to say the issue is not debatable. Mr. Meech indicated this was correct, however, because management committee had been instructed to examine and it felt it had a mandate to attempt to set down criteria from which grants to organizations would be given. Mr. Meech also indicated if Council present at this session of council was not happy with the criteria set down they could send the grants to organizations back to management committee to re-examine the issue.

It was moved by Councillor McInroy and seconded by Councillor Bayers:

"THAT criteria for determining allowable grants to organizations be established by a committee of the whole and the grants be discussed at a meeting of the committee of the whole."
Motion Carried.

Request for Parkland Funds--District 12

Mr. Reinhart presented the report requesting a Parkland Fund grant in the amount of \$3,200 for Middle Musquodoboit and \$3,200 for Upper Musquodoboit for the purpose of upgrading recreational playing fields located in the above mentioned areas which are owned by the Municipality.

There was some general discussion regarding this matter and Councillor Margeson inquired if District 12 had opted out of the Parkland Fund. Deputy Warden Adams indicated they had applied to opt out but this bill had not, as yet, received Ministerial approval and as a result District 12 was still participating in this fund. Mr. Meech confirmed this information.

Councillor Larsen indicated he had requested a policy on parklands and had not received that information to date. Mr. Meech indicated this item was still under consideration and a legal opinion was being sought on this item. He indicated this matter would be dealt with at the Policy Committee level very shortly.

It was moved by Councillor Larsen and seconded by Councillor Snow:

"THAT this item be deferred."
Motion Carried

Renaming of Humber Park Tot Lot

Mr. Reinhart presented the report stating a request had been received from Councillor DeRoche requesting the Humber Park Tot Lot be renamed from the Humber Park Tot Lot to the "John Cavana Memorial Playground" as a memorial to a deceased resident of the area.

It was moved by Councillor Eisenhauer, seconded by Councillor MacKay:

"THAT Council approve the alteration in the name of the Humber Park Tot Lot to the "John Cavana Memorial Playground."
Motion Carried.

REPORT RE: MARITIME DRAG RACER'S ASSOCIATION

Councillor MacDonald indicated the use of the property located in Sackville was a non-conforming use and Planning Department had recommended since it was non-conforming a contract be allowed for a one year period and the application be reviewed at this time next year. Councillor MacDonald indicated he would like to see the following provisions included in the contract:

1. The track not operate on Sundays.
2. The track may operate on Saturdays and Wednesday evenings.
3. Proper gates be installed at the entrance to the track and the gates be locked when the track is not operating.
4. Permit be issued for a period of one year at which time it will be reviewed to consider renewal.

Mr. Meech indicated the request had come from the Department of Consumer Affairs because the owner had made application and part of the policy stated the Department must communicate with the concerned Municipality to determine their agreement or disagreement.

It was moved by Councillor MacDonald and seconded by Councillor Walker:

"THAT this application for an amusement license be granted with the above mentioned provisions being communicated to the Department of Consumer Affairs."
Motion Carried.

SUPPLEMENTARY MANAGEMENT COMMITTEE REPORTSheet Harbour Swmning Pool

Mr. Reinhardt presented the report to Council members. It was moved by Councillor McInroy, seconded by Councillor Walker:

"THAT Council accept the proposal from the Sheet Harbour Lions Club and staff enter into negotiations with members of the Lions Club to lease the premises."

Motion Carried.

POLICY COMMITTEE REPORTRequest for District Capital Grant - District 12

Mr. Reinhart read the report from District 12 requesting a district capital grant in the amount of \$3,902.19 for the Upper Musquodoboit Volunteer Fire Department for the acquisition of fire fighting equipment. This request was recommended for approval by the policy committee.

It was moved by Councillor Margeson and seconded by Councillor McInroy:

"THAT a District Capital Grant in the amount of \$3,902.19 be awarded to District 12 for the acquisition of fire fighting equipment for the Upper Musquodoboit Volunteer Fire Department." Motion Carried.

Request for District Capital Grant - District 19

Mr. Reinhart read the report from District 19 requesting a District Capital Grant in the amount of \$2,500 for the final phase of beach improvements at Springfield Lake, Lakeview Avenue.

It was moved by Councillor MacDonald, seconded by Councillor Eisenhauer:

"THAT Council approve a District Capital Grant in the amount of \$2,500 for the final phase of improvements at Springfield Lake, Lakeview Avenue." Motion Carried

Request for District Capital Grant--District 13

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$2,000 for District 13 for the Gay's River/Cook's Brook/Lake Egmont Fire and Recreation Association for improvements to land for the construction of recreational and playing field.

It was moved by Councillor Margeson and seconded by Councillor Snow:

"THAT Council approve a District Capital Grant in the amount of \$2,000 for improvements to the Gay's River/Cook's Brook/ Lake Egmont Fire and Recreation Association to construct a playing field." Motion Carried.

Request for District Capital Grant--District 9

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$3,500 for capital improvements to the Seaforth Community Hall, District 9. This property is not owned by the Municipality and the Policy Committee has recommended the grant for approval.

It was moved by Councillor Gaetz and seconded by Councillor MacDonald:

"THAT Council approve a District Capital Grant in the amount of \$3,500 for the District 9 Seaforth Community Hall for capital improvements."
Motion Carried.

Request for District Capital Grant--District 9

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$3,500 for the District 9 Lawrencetown Community Center Ball field. The request was to purchase and install chain link fencing for the ball field. This property is owned by the Lawrencetown Community Hall Association.

It was moved by Councillor Gaetz and seconded by Councillor Mont:

"THAT council approve a District Capital Grant in the amount of \$3,500 for the District 9 Lawrencetown Community Center Ball Field to purchase and install chain link fencing."
Motion Carried.

SUPPLEMENTARY POLICY COMMITTEE REPORTHalifax/Dartmouth Regional Transportation Report

Mr. Reinhart read the report recommending from Policy Committee the report be considered by Council on June 11, 1984, following the public hearings and that officials from the appropriate Provincial Departments will be requested to attend the meeting.

There was some general discussion regarding this matter, and it was moved by Councillor Margeson and seconded by Councillor McInroy:

"THAT a special meeting of the committee of the whole be arranged for June 11, 1984 following the public hearings and that representatives from the appropriate Provincial Departments be requested to attend."
Motion Carried.

Request for District Capital Grant--District 1

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$1,000 for the District 1 Volunteer Fire Department to purchase fire fighting equipment.

It was moved by Councillor Walker and seconded by Councillor Larsen:

"THAT Council approve a District Capital Grant in the amount of \$1,000 for the purchase of fire fighting equipment for the District 1 Volunteer Fire Department."
Motion Carried.

Councillor Walker asked the request for a General Parkland Grant be considered at this time. It was agreed by Council to deal with this item.

It was moved by Councillor Walker and seconded by Councillor Larsen:

"THAT a District Capital Grant in the amount of \$4,000 be approved by Council for District 1 for capital improvements to the parkland located at the Head of St. Margarets' Bay."
Motion Carried.

Request for District Capital Grant--District 3

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$800 for District 3 for improvements to municipal owned parkland located in Lake of the Woods Subdivision.

It was moved by Councillor Larsen and seconded by Councillor Snow:

"THAT Council approve a District Capital Grant in the amount of \$800 for improvements to municipally owned parklands located at Lake of the Woods Subdivision."
Motion Carried.

Request for District Capital Grant--District 11

Mr. Reinhart hear the report requesting a District Capital Grant in the amount of \$1,025 for District 11 for the Tangier Volunteer Fire Department.

It was moved by Councillor Margeson and seconded by Councillor Bayers:

"THAT Council approve a Dsitrict Capital Grant in the amount of \$1,025 for District 11 for the Tangier Volunteer Fire Department."
Motion Carried.

Request for District Capital Grant--District 13

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$4,000 for the District 13 Dutch Settlement Volunteer Fire Department for the purchase of communication equipment.

It was moved by Councillor Snow and seconded by Councillor MacDonald:

"THAT Council approve a District Capital Grant in the amount of \$4,000 for District 13, Dutch Settlement Volunteer Fire Department for the purchase of Communications equipment."
Motion Carried.

Request for District Capital Grant--District 20

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$10,000 for District 20, Kinsmen Recreation Park for capital improvements, Lower Sackville.

It was moved by Councillor Mont and seconded by Councillor Margeson:

"THAT Council approve a District Capital Grant in the amount of \$10,000 for District 10, Kinsmen Recreational Pake for capital improvements."
Motion Carried.

Request for District Capital Grant--District 21

Mr. Reinhart read the report requesting a District Capital Grant in the amount of \$6,000 for District 21 for fencing walkways on County owned property in Cole Harbour.

It was moved by Councillor Mont and seconded by Councillor Margeson:

"THAT Council approve a District Captial Grant in the amount of \$6,000 for fencing of Public Walkways in District 21, Cole Harbour."
Motion Carried.

BUILDING INSPECTOR'S REPORT RE: LESSOR SIDE YARD CLEARANCES

Mr. Reinhart presented the report requesting lessor sideyard clearances for Earl Smith property, Lot 58 Lake Echo Forest Park Subdivision, Lake Echo of 4 feet. The lessor side yard clearances are being requested to erect a shed which will not encroach on the driveway right-ofway.

It was moved by Councillor Gaetz and seconded by Councillor Snow:

"THAT Council approve lessor side year clearances for Lot 58 Lake Echo Forest Park Subdivision."
Motion Carried.

REQUEST FOR ADDITIONAL SENIOR CITIZENS UNITS--MIDDLE MUSQUODOBOIT

Mr. Reinhart read the report from Mr. Ronald Jennex, Manager Halifax County Housing Authority to erect an additional ten units to the existing fifteen unit senior citizens complex.

There was some discussion regarding this item and it was clarified, although the content of the letter did not specifically indicate this, the request to Council was to indicate support to have a need and demand study completed to determine the requirement for additional housing for seniors in the area.

It was moved by Councillor Gaetz and seconded by Councillor Margeson:

"THAT Council forward a letter of support for a need and demand study to determine the requirement for additional senior citizen's housing in the Middle Musquodoboit area."
Motion Carried.

RESOLUTION RE: 1984 AREA RATE--SACKVILLE MAINSTREET

Mr. Reinhart read the report indicating Council was requested to rescind a resolution approved May 1, 1984 to levy an area rate of \$.008 for the Sackville Mainstreet program.

It was moved by Councillor MacKay and seconded by Councillor MacDonald:

"THAT the motion of May 1, 1984 Council Session, levying an area rate of \$.008 for the Mainstreet Program in Sackville be rescinded."
Motion Carried.

ADDITION OF ITEMS TO THE AGENDA

Roads--Councillor Snow

Councillor Snow requested that a letter be written by staff to the Honourable Jack MacIsaac outlining the conditions at the intersection of the Cobequid Road and the Waverley Road and requesting the intersection be upgraded.

It was moved by Councillor Snow and seconded by Councillor McInroy:

"THAT a letter be written to the Honourable Jack McIsaac, Minister of Transportation, outlining the deplorable and dangerous conditions of the Cobequid Road at or near the Waverley Road and requesting that, that portion of the Cobequid Road and the intersection be upgraded to ensure the safety of pedestrians and motorists and further that copies of this letter be forwarded to Howard Crosby, M.P. and the Hon. Ken Streach.

Sackville Incubator Mall--Councillor MacKay

Councillor MacKay announced that the Sackville Incubator Mall had been sold and the terms of sale included that a second facility be built, a non-refundable deposit be given to the Municipality in the amount of \$25,000 to guarantee construction of the second structure; the present leasing arrangements with tenants will remain in force; and Councillor MacKay further informed Council the closing date of the sale was June 1, 1984.

Amusement Board--Councillor MacKay

Councillor MacKay indicated the Planning Department had been approached for consideration of an application to construct an outdoor amusement facility for "concerts" in the Sackville area on the property of JB's and the applicant will be approaching the Department of Consumer Affairs with this item. Councillor MacKay indicated he would be bringing forth a motion for consideration at the June 19, 1984 session of Council.

There being no further business, the meeting was adjourned.

REGULAR COUNCIL SESSION

JUNE 19, 1984

PRESENT WERE: Warden MacKenzie, Chairman
Councillor Gaetz
Deputy Warden Adams
Councillor DeRoche
Councillor Deveaux
Councillor Gaudet
Councillor Larsen
Councillor Poirier
Councillor Walker
Councillor Bayers
Councillor Reid
Councillor Lichter
Councillor Snow
Councillor Margeson
Councillor McInroy
Councillor MacDonald
Councillor Wiseman
Councillor Mont

ALSO PRESENT: Mr. K.R. Meech, Chief Administrative Officer
Mr. G.J. Kelly, Municipal Clerk
Mr. K. Wilson, Director of Finance
Mr. J. Markesino, Director of Recreation
Mr. E. Mason, Director of Social Services

SECRETARY: C. Lynn Weeks

CALL TO ORDER

Warden MacKenzie called the meeting to order at 6:54 with the Lord's Prayer.

ROLL CALL

Mr. Meech called the roll.

APPOINTMENT OF RECORDING SECRETARY

It was moved by Councillor Margeson and seconded by Councillor Gaudet:

"THAT C. Lynn Weeks be appointed as recording secretary."
Motion Carried.

APPROVAL OF MINUTES

It was moved by Councillor DeRoche and seconded by Councillor Gaetz:

"THAT the minutes of the April 30, 1984 Public Hearing be approved as submitted."

Motion Carried.

It was moved by Deputy Warden Adams and seconded by Councillor Snow:

"THAT the minutes of the May 14, 1984, Public Hearing be approved as submitted."

Motion Carried.

It was moved by Councillor DeRoche and seconded by Councillor Reid:

"THAT the minutes of the May 15, 1984, Regular Council Session be approved as submitted."

Motion Carried.

ADDITION OF ITEMS TO THE AGENDA

Deputy Warden Adams requested that the topic of pollution in Lake Echo be added to the agenda.

MEETING WITH THORNE, RIDDELL--MUNICIPAL AUDITORS

Mr. Bill MacQuarrie and Mr. Mark Dickey from Thorne Riddell were invited to join the session to give the auditors report. Mr. MacQuarrie indicated that copies of the financial statements had been circulated to the Councillors prior to the Council Session for their perusal.

Mr. MacQuarrie gave a brief overview of the financial statements for the beginning of 1983 and indicated the \$54,000 surplus for 1984 and how that figure was arrived at. Councillor Margeson inquired how area rates would affect the surplus. Mr. MacQuarrie indicated that area rates have no effect whatsoever on the surplus. He further indicated that area rate surpluses are not included in the general operating fund surplus of the County.

Mr. MacQuarrie indicated from the letter in the auditors report their practice varies from that of the Department of Municipal Affairs and this has been brought to their attention in a copy of the Auditor's Report which was forwarded to that Department.

Mr. MacQuarrie reviewed with Council the following statements:

1. The Statement of Revenue and Expenditure, Statement of Surplus, and the Balance Sheet.
2. The General Operating Fund; General Operating Fund Balance Sheet; and the General Capital Fund.
3. The General Capital Fund, Sinking Funds, etc.
4. The School Capital Fund.

Mr. MacQuarrie invited questions from Councillors.

There was some general discussion by Councillors and the Warden thanked Mr. MacQuarrie and Mr. Dickey for their presentation and the accounting Department for their work.

It was moved by Deputy Warden Adams and seconded by Councillor DeRoche:

"THAT the company of Thorne, Riddell be re-appointed as auditors for the Municipality of the County of Halifax for the year 1984."
Motion Carried.

Mr. Dickey thanked Mr. Wilson and their staff for their help and support throughout the years.

LETTERS AND CORRESPONDENCE

DEPARTMENT OF AGRICULTURE

Mr. Kelly read the correspondence from the Department of Agriculture and Marketing in response to a letter from the County of Halifax with regard to the 1984 Roadside Spraying Program. Mr. Kelly indicated there was some additional information with regard to the program attached to the letter and this package was included with the agenda.

Councillor Lichter indicated he had discussed the matter with Councillor Reid and would be making a motion with regard to the spraying program. Councillor Lichter stated that contrary to page 2 paragraph 4 stating that no claims had been paid by transportation there had been a claim paid in one instance even though there was a waiver attached to the payment.

Councillor Lichter indicated he was not happy with the public notification of the program because in 10 to 14 days it would be impossible to complete the task required by the Department of Marketing and Agriculture.

It was moved by Councillor Lichter and seconded by Councillor Reid:

"THAT Council go on record as having made a decision and Council hopes that the Department of Transportation is able to carry out the wishes of Council."

Councillor DeRoche stated he felt it was necessary to have the previous motion read to refresh the Councillor's memory of the motion referred to by Councillor Lichter. Councillor Lichter indicated he would be happy to read the motion. Councillor Lichter read the motion stating:

"THAT the Department of Transportation be authorized to carry out the roadside spraying program provided that every resident in the areas abutting those roads to be sprayed will receive notice as to when the spraying will be carried out and the notice be such that it could be posted indicating objection to the spraying on a piece of land."

Councillor DeRoche thanked Councillor Lichter for refreshing the memories of Council.
Motion Carried.

SAINT MARY'S UNIVERSITY

Mr. Kelly read the letter from the President of Saint Mary's University with respect to the resolution from Council with regard to the sports programs at the University and in particular the cancellation of the mens basketball team.

It was moved by Councillor DeRoche and seconded by Councillor Walker:

"THAT this item of correspondence be received." Motion Carried.

GRANTS TO ORGANIZATIONS

Warden MacKenzie introduced the report. Councillor McInroy indicated he felt it would be appropriate to adopt the policy and criteria and guidelines as agreed to during the committee of the whole session.

It was moved by Councillor McInroy and seconded by Councillor Larsen:

"THAT the policy and criteria developed by management committee governing grants to organizations be adopted."

Councillor MacKay indicated he did not agree with this motion in its entirety as he felt CAMR should be supported as each individual chapter operates separately to raise their own funds. Councillor MacKay indicated he did not feel the CAMR's should be included in the classification of National Organizations.

Councillor McInroy stated if there was a question as to the category a particular organization should be placed under, at a later date changes could be made in the categorization.

Councillor MacKay moved and was seconded by Councillor MacDonald:

"TO AMEND THE MAIN MOTION to read: that the CAMR be categorized as Section 2 (ii) operating grants, non-County, serving part of all of the County."

Councillor McInroy indicated he did not feel this was a proper amendment to the motion and may be more appropriate to deal with this issue after the main motion was dealt with.

Councillor Walker advised Council he would not be voting in favour of the policy recommended by the motion.

Councillor Walker further indicated that the four basic goals would allow most organizations to apply for the grants and the Municipality would be hard pressed to provide grants for all the organizations who would be eligible to apply for grants next year. Councillor Walker further suggested that a halt be put to the grants before it becomes out of control.

Mr. Meech stated that the four basic goals were not actually a part of the policy and this was an exercise at the staff level to try to identify whether or not the organizations represented social, health, recreation, and so on, concerns.

Mr. Meech further advised the purpose of using criteria was more related to categorizing organizations according to whether they were a county based organization or non-county serving part of the county or national/province wide organization and further that a minimum and maximum percentage of the total dollars available were placed on the grant funds available for each of the categories.

Councillor McInroy also indicated that a special provision had been made for special operating grants after the first one is received to allow organizations to receive additional funding in subsequent years to receive additional operating grants for special projects.

Warden MacKenzie indicated he would not accept the amendment to the main motion and Councillor MacKay could present the amendment as a main motion after the motion now on the floor had been voted upon.

Motion Carried.

It was moved by Councillor MacKay and seconded by Councillor Wiseman:

"THAT the CAMR respective branches which operate or serve part of the Municipality of the County of Halifax be categorized under Section 3 (ii) as Non-County serving all or part of the County."

It was moved by Councillor DeRoche and seconded by Councillor Gaetz:

"THAT this item be deferred pending investigation by Management Committee to report back to Council with respect to the categories of the organizations and agencies involvd."

Councillor DeRoche indicated the motion was with regard to re-classification of an organization and an argument could be made in favour of several other organizations.

Warden MacKenzie stated there was no longer a Management Committee and this body was now the Executive Committee. Councillor DeRoche agreed to amend the motion to read Executive Committee and this was agreed to by the seconder.

Motion Carried.

It was moved by Councillor McInroy and seconded by Councillor Gaetz:

"THAT the motion of June 5, 1984, respecting the grants to organizations be rescinded."

Councillor Mont stated this had been referred back to the Executive Committee and this could not be voted upon. Councillor MacKay stated

at the last Council Session a motion had been made to approve the grants and amendments were made to that motion. He indicated the main motion of June 5, 1984 was not carried and therefore there would be nothing to rescind.

Councillor Mont inquired why this item was being deferred back to Committee to alter the classifications of the organizations. Warden MacKenzie advised Councillor Mont that Councillor MacKay's motion was to refer the classification of the CAMR back to committee for a change in classification for future years.

Councillor DeRoche stated the only motion which was deferred was the motion regarding categorizations of organizations.

Councillor McInroy moved and was seconded by Councillor Larsen:

"THAT Council approve the for 1984 as agreed to in the meeting of the Committee of the whole."

Councillor Wiseman inquired if this motion had already been placed on the floor. Warden MacKenzie indicated it had not.

Motion Carried.

PLANNING ADVISORY COMMITTEE

Development Officer

Mr. Kelly read the report requesting Council to approve the request by the Planning Advisory Committee to approve the appointment of Ms. Dorothy Cartledge as Development Officer in the absence of Mr. Gough.

It was moved by Councillor Lichter and seconded by Councillor Poirier:

"THAT Ms. Dorothy Cartledge be appointed as Development Officer in the absence of Mr. Bob Gough."
Motion Carried.

Councillor McInroy declared a conflict of interest with regard to the Amendment of the Forest Hills Planned Unit Development Agreement and the Parkland Review.

Amendment of the Forest Hills Planned Unit Development Agreement.

Mr. Kelly presented the report and committee recommended Council approve the request to amend the Forest Hills Planned Unit Development agreement.

It was moved by Councillor DeRoche and seconded by Councillor Mont:

"THAT the Forest Hills Planned Unit Development Agreement be amended as recommended by the PAC to provide for altering the Multiple Family dwellings to Semi-Detached residential development."
Motion Carried.

Parkland Review

Mr. Kelly presented the report and committee recommended to Council approval of acceptance of the parcels of land listed below:

Forest Hills, Cole Harbour, Parcel CC-2 Community Commons.

Timberlea Hills Subdivision, Park Parcel P-1, F-47-84-08

It was moved by Councillor Mont, seconded by Councillor DeRoche:

"THAT Council accept the parcel of land described as Forest Hills, Cole Harbour, Parcel CC2, Community Commons for parkland."
Motion Carried.

It was moved by Councillor Poirier and seconded by Councillor Snow:

"THAT Council accept the parcel of land described as Timberlea Hills Subdivision, Park Parcel P-1, F-47-84-08 for parkland."
Motion Carried.

SUPPLEMENTARY REPORT OF THE PLANNING ADVISORY COMMITTEE

Rezoning application No. RA-CH/W-19-84-21.

Mr. Kelly presented the report requesting a rezoning for Lot S-1 of the lands of Stanly T. Ritcey located at 1389 Cole Harbour Road from R-1 to R-2.

Mr. Kelly indicated the committee was in favour of approving this application. The PAC further advised they were in favour of holding a Public Hearing on July 23, 1984 at 7:00 p.m.

It was moved by Councillor Lichter and seconded by Councillor DeRoche:

"THAT a public Hearing be called for July 23, 1984 at 7:00 p.m. to hear the request of Mr. Elias Toulany to rezone Lot S-1 of the lands of Stanley T. Ritcey located at 1389 Cole Harbour Road from R-1 to R-2."
Motion Carried.

Rezoning Application No. ZA-24-16-84-04

Mr. Kelly presented the report requesting a public hearing by the residents of White's Lake to have the lands at White's Lake zoned from an unzoned status and G status zoned R-5 Rural Residential zone. Committee recommended approval to Council and further recommended a public hearing be called for July 23, 1984 at 7:00 p.m.

It was moved by Councillor Snow and seconded by Councillor Lichter:

"THAT a public hearing be called for July 23, 1984, to zone the lands located at White's Lake from unzoned and G zoning to R-5 rural residential zone."
Motion Carried.

Letter from the Minister of Housing re: Forest Hills PUD Municipal Planning Strategy

Mr. Kelly presented the report. Councillor DeRoche indicated this letter was a response to a letter directed to the Minister of Housing by the request of the PAC to encourage the Minister to adopt the MDP for Westphal/Cole Harbour and to agree to deleting the PUD for all of Forest Hills Development, the presently developed and the undeveloped property in the areas. Councillor DeRoche indicated he was very displeased with the Department of Housing is prepared to implement the conditions of the land use criteria by-law of the Municipal Development Plan. Councillor DeRoche further indicated he had hoped the Minister would agree to allowing the PUD to be set aside in favour of the MDP. Councillor DeRoche further advised this was not to be, considering the fact that the majority of the undeveloped property in Forest Hills is in my district.

It was moved by Councillor Snow and seconded by Councillor DeRoche:

"THAT this item of correspondence be received."
Motion Carried.

Councillor Poirier asked if Mr. Markesino was in favour of accepting the parkland in the Timberlea Hills Subdivision. Mr. Meech stated there was a committee in place and Mr. Markesino would have some input into these decisions.

Municipal Subdivision By-Law

Mr. Kelly presented the report and it was recommended that June 27 and June 28 be set as Committee of the Whole sessions to review the subdivision by-laws. Warden MacKenzie inquired what time the meeting would be held. Councillor Lichter indicated that the time of the meeting had been discussed by the members of PAC and it was agreed an evening meeting would be most suitable. He further indicated that the time would be up to council.

It was moved by Councillor Lichter and seconded by Councillor MacKay:

"THAT a Committee of the Whole meeting be scheduled for June 27 and June 28 at 6:00 p.m. to discuss the subdivision regulations."
Motion Carried.

Forest Hills Shopping Center

Mr. Kelly presented the report indicating the developer is levelling the entire lot and not leaving the required buffer of trees and providing fencing as was the original agreement.

Councillor DeRoche indicated there was an agreement reached in July of 1980 between the Municipality and the Nova Scotia Housing Commission in conjunction with former Councillor Rick Stewart, and representatives of the Forest Hills resident's Association as to what the developer would be doing with the property. In that agreement it was stated a fence

would be erected and an existing buffer of trees would be left in tact. Councillor DeRoche advised council that he had been advised by the Residents the developer is stripping the whole property.

Councillor Mont indicated he had also experienced some complaints from the area residents particularly in District 17. Councillor Mont further advised Council that the land has already been stripped and the ground was levelled and uprooted all the foliage on the property. Councillor Mont asked Mr. Cragg if there was anything which could be done to halt further development until the developer agrees to live up to commitment given to Council to provide a buffer zone.

Mr. Cragg indicated he would not be able to answer that question at this point in time and Mr. Gough may be able to better answer it.

Councillor McInroy stated the wording of the agreement for the provision that a "50 foot open space buffer will be provided on the commercial property running along the west and north boundaries of the site adjacent to the Hugh Allen Subdivision and that buffer would contain neither buildings nor driveways and would be graded and landscaped. The construction of the shopping center which will be some 80 to 90 feet from the property line requires that the site be excavated from a depth of 50 to 20 feet and that is why it is necessary that the buffer be stripped and graded.

Councillor McInroy further advised that the buffer and the chain link fence would both be provided on the property owned by the developer and both in accordance with the agreed upon manner

Warden MacKenzie asked if after the shopping center was developed would the County be in a position to require the developer to landscape the area and provide the buffer. Mr. Meech indicated in the agreement there was no indication they weren't supposed to strip it.

Councillor McInroy stated the agreement specifically stated the buffer be graded and it would be impossible to grade this area without stripping it.

Mr. Gough advised that the chain link fence was being erected as specified in the agreement.

Councillor DeRoche indicated since the Councillor for the area was on top of the situation, he would pursue this matter no further.

Rezoning application No. RA-EP/CB-07-84-06

Mr. Kelly presented the report indicated the recommendations for the March 20, 1984 rezoning application included approval of the application on the basis of the staff report, a public hearing be set for April 17, 1984, and the costs for advertising be waived. It was recommended by PAC the Council Minutes be amended to reflect these recommendations.

Councillor MacKay stated he had seconded the original motion to recommend these three items for application RA-EP/CB-07084-06 and this was more of a correction than a re-zoning application. Warden MacKenzie asked where the application was from. Councillor MacKay indicated it was from Eastern Passage on the Caldwell Road adjacent to the Trailer Park.

It was moved by Councillor MacKay and seconded by Councillor DeRoche:

"That the recommendations made by PAC to waive the advertising fees be included in the Minutes of the March 20, 1984 Council Session."

Motion Carried.

DIRECTOR OF DEVELOPMENT REPORT

Mr. Kelly presented the report.

It was moved by Councillor Gaetz and seconded by Councillor Mont:

"THAT this report be received."

Motion Carried.

BUILDING INSPECTOR'S REPORT

Mr. Kelly presented the report requesting a lessor setback and sideyard clearance for Lot 3, Highway 333, Seabright by Frank Redmond. The lessor setback and sideyard clearances requested were 21.1 feet and 3.5 feet respectively. The reason for the request is resulting from a steep bank and small brook running through the property.

It was moved by Councillor Larsen and seconded by Councillor DeRoche:

"THAT Council approve a lessor setback and sideyard clearance for the property of Frank Redmond located at lot 3, Highway 333, Seabright, for clearances of 21.1 feet and 3.5 feet respectively."
Motion Carried.

MINOR VARIANCE

Mr. Kelly presented the report requesting an appeal of a minor variance for two properties of W.D. Morash Ltd. described as Lot A-38 Evelynwood Place and A-11 Edgcombe Crescent, Inishowen Subdivision, Cole Harbour. It was recommended these appeals be considered at the July 17, 1984 Regular Council Session at 7:00 p.m.

It was moved by Councillor DeRoche and seconded by Councillor Snow:

"THAT an appeal of a Minor Variance be scheduled for July 17, 1984 for properties of W.D. Morash located in Cole Harbour."
Motion Carried.

MANAGEMENT COMMITTEE REPORTRequest for funds General Parkland Fund

Mr. Kelly presented the report requesting an allocation of funds in the amount of \$1,000 for the purpose of improvements to County owned parkland at St. Margaret's Bay District 1.

It was moved by Councillor Walker and seconded by Councillor Larsen:

"THAT Council approve a request for an allocation from the General Parkland Fund in the amount of \$1,000 for improvements to parkland located at St. Margaret's Bay, District 1."
Motion Carried.

Request for Funds, General Parkland Fund

Mr. Kelly presented the report requesting an allocation of funds from the District 12 General Parkland Fund in the amount of \$3,600 and the General Parkland Fund for \$3,600 for a total grant of \$7,200 to upgrade playing fields in the Middle Musquodoboit and Upper Musquodoboit areas.

It was moved by Councillor Reid and seconded by Councillor Lichter:

"THAT Council approve grants from the District 12 Parkland Fund and the General Parkland Fund in the amount of \$3,600 each for improvements to playing fields in Middle Musquodoboit and Upper Musquodoboit area."
Motion Carried.

Acquiring Recreational Property and Allocation of Parkland Fund

Mr. Kelly presented the report requesting funds to acquire property in the Dean area of District 12 for community recreational purposes. The area of the land is approximately four acres in size. It was indicated the property can be purchased for \$1,000 and an additional \$3,000 will be required to upgrade the property for recreational uses.

It was moved by Councillor Reid and seconded by Councillor Lichter:

"THAT Council approve a General Parkland grant in the amount of \$2,000 and a District 12 Parkland Fund grant in the amount of \$2,000 for acquisition of property in the Dean area and upgrading of the same property, plus an allocation from each of these funds in an equal amount to cover the costs of legal fees, surveying, etc."

Councillor MacKay inquired what the recommendations of the Recreation Committee would be with regard to this property. Councillor Reid indicated that he did not believe the recreation committee had examined this request to acquire property, however, the piece of property in question had been used as a playing field and has had a community hall on it for approximately 20 years. Councillor Reid indicated the circumstances of the request to Council members.

Mr. Meech asked if it was the intent of the District to lease the property back to the Local sports association. Councillor Reid indicated this was correct.

Motion Carried.

Land Donation--Lillian Colp--White's Lake

Mr. Kelly presented the report indicated Mrs. Colp was willing to donate a piece of land in the White's Lake area for future parkland. The property in question is approximately 50 feet by 300 feet and it was recommended by Management Committee to accept this property.

It was moved by Councillor Gaudet and seconded by Councillor DeRoche:

"THAT this property be accepted by the Municipality of the County of Halifax."

Councillor Gaudet indicated this property had a beautiful view overlooking Prospect Bay. Councillor Gaudet further advised Council that the land would be open to everyone in the area including tourists. Councillor Gaudet further indicated a quick claim deed had been passed over to the County. Councillor Gaudet advised Council Mr. Markesino had seen the property and was interested in acquiring this property and it could be used for a look-out with picnic tables, etc.

Councillor Gaudet requested that Mrs. Colp be sent a letter thanking her for the donation of property.

It was agreed to include in the motion Mrs. Colp be sent a letter thanking her for the property.

Warden MacKenzie asked if the property went from the highway to the salt water. Councillor Gaudet indicated it did.

Motion Carried.

Halifax County Pension Plan Amendments

Mr. Kelly presented the report with the recommendations from the Pension Advisory Committee and it was recommended by Management Committee these amendments be approved.

It was moved by Deputy Warden Adams and seconded by Councillor Snow:

"THAT the amendments to the Halifax County Pension Plan be amended as recommended by the Pension Advisory Committee."
Motion Carried.

Council Renumeration

Mr. Kelly presented the report recommending an increase of 5 per cent in the salaries and the per diem rate for Councillors and the Warden by the Management Committee.

It was moved by Councillor Snow and seconded by Councillor McInroy:

"THAT a salary increase of five per cent be granted to the Councillors and the Warden as recommended by Management Committee."

Motion Carried.

RESOLUTION--AMENDMENT TO THE ORDER ESTABLISHING MAPC

Mr. Kelly presented the report requesting a resolution by Council to amend the order establishing MAPC.

It was moved by Councillor DeRoche and seconded by Councillor Snow:

"THAT Council approve the resolution establishing MAPC as provided in the order amending order establishing commission."

Councillor MacKay asked for clarification regarding Clause E Section 5. Warden Mackenzie indicated that the Minister of Development would no longer act as Chairman and this amendment would delete that clause.

Motion Carried.

POLICY COMMITTEE REPORT

Use of Parkland Funds--Repairs to Former School Properties

Mr. Kelly presented the report which indicated the recommendation from Policy Committee recommending that the Parkland funds not be utilized for carrying out repairs to former school properties.

It was moved by Councillor Gaetz, seconded by Councillor McInroy:

"THAT parkland funds not be used to carry out repairs to former school properties as recommended to Council by Policy Committee."

Councillor MacKay asked if these buildings were being leased for a restricted or exclusive use. Mr. Meech indicated the funds were derived as a requirement of the Planning Act, the five percent for open space, and based on the interpretation of that section of the Act, Mr. Cragg had indicated those funds can only be specifically used for either the purchase of or the improvements thereto to the lands. Mr. Meech indicated it was the interpretation that this fund should not be used for existing buildings. Mr. Meech indicated the original purpose of the fund was to purchase land and the legal interpretation was that you could expand that to improvements.

Councillor MacKay indicated that historically schools provide a focal point for some communities and these facilities have been put in place in conjunction with these schools and it may be in the best interest of the County to upgrade these lands. Councillor MacKay asked if the land would be eligible to use the funds and not the building. Mr. Meech indicated this was correct with the provision that if a piece of parkland was improved with a tot lot and ball field the money could be used to improve that land.

Councillor MacKay asked if the property surrounding the school would be eligible for a parkland grant. Mr. Meech indicated that the property must be in the ownership of the Municipality. Councillor MacKay indicated schools were in the ownership of the Municipality and it is being leased. Mr. Meech indicated in the cases where leases exist, it is the responsibility of the local organization to maintain those properties.

Councillor DeRoche indicated he was pleased to see the present interpretation of the Planning Act which would exclude only the buildings on the former school properties. Councillor DeRoche indicated he knew of one case where the property was not in the name of the Municipality, the Cole Harbour School which is now the Cole Harbour Fire Station Hall. Warden MacKenzie indicated he was aware of a number of such situations.

It was moved by Councillor MacKay and seconded by Councillor DeRoche:

"TO AMEND the motion and replace the word property in the last three paragraphs with the word "Building".

Councillor Larsen asked if the County was not living up to their responsibility to maintain the building under the present situation which allowed these community organizations to lease these premises. Councillor Larsen asked if the organizations were forced to maintain the building and if the organization was not maintaining the building who would be responsible for improving, or bringing the building back up to standard.

Mr. Cragg indicated that when a group is contracted with, by way of lease, certain obligations are imposed on them by contract. He further advised that if the organization was not abiding by those contractual obligations the group would be in breach of their contract and the Municipality would have the right as custodian to go in and take possession of the premises. Mr. Cragg further indicated that a lease effectively turns the property over to that group and would effectively preclude the Municipality going in to take possession or make improvements.

Councillor Larsen stated he felt the County was not treating this situation fairly as in many cases the organizations make many improvements to these buildings and the Municipality should be able to give assistance and the District Capital funds were not adequate when considering the amount of money needed to have major repairs done and the other groups in the district would also suffer if the complete District Capital funds was depleted as a result of allowing a grant of this magnitude to schools to effect the necessary repairs.

Amendment Carried.

Motion Carried.

Councillor Margeson indicated there was a Little Red School-house grant which may be applied in this situation.